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**One Hundred Eighth Congress
U.S. House of Representatives
Select Committee on Homeland Security
Washington, DC 20515**

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August 17, 2004

The Honorable Tom Ridge
Secretary
Department of Homeland Security
Washington, D.C.

Dear Mr. Secretary:

As I stated in a letter to you yesterday, I am investigating the deployment of US-VISIT and the Department of Homeland Security's decision to postpone plans to develop a fully interoperable border security exit-entry system. I am writing today to express my concerns about the Department's abrupt and premature cancellation of oversight work on US-VISIT that was being performed by the Data Management Improvement Act (DMIA) Task Force.

In 2000, Congress created an independent commission, appointed by the Attorney General, to study and then report on how the border agencies could "efficiently and effectively" carry out the complex mission of creating an "integrated collection and data-sharing system, including the integrated entry and exit system" that was originally mandated Congress in 1996.

The law was passed after four years of costly delays during which the former Immigration and Naturalization Service (INS) had failed to develop such a system. Among the subjects the Task Force was empowered to study was "increasing cooperation among Federal agencies and among Federal and State agencies....modifying information technology systems while taking into account the different data systems, infrastructure, and processing procedures of airports, seaports, and land border ports of entry." Congress authorized funding for the Task Force from fiscal years 2001 to 2008.

In its first report, issued in December, 2002, the Task Force included an entire chapter on subjects the Task Force would "continue to research and make recommendations on" in 2003/2004. Those subjects included the development of INS technology, coordination efforts among federal agencies, interaction between border agencies and the Foreign Terrorist Tracking Task Force, infrastructure in ports of entry,

biometrics, and other issues related to the development of an interoperable exit-entry border security system.

On December 3, 2002, Attorney General Ashcroft renewed the Task Forces' charter to study these issues, provided it a \$5.6 million budget for fiscal years 2003 and 2004, and assigned it seven staff positions. The Task Force was authorized to continue working until December, 2004, subject to renewal.

Among the most significant research efforts by the DMIA Task Force was to retain a team of information technology consultants from the Los Alamos National Laboratory. This group of eight scientists studied the 50 major border security IT systems operated by the Department of Justice, Department of State, and Department of Homeland Security (DHS).

In a report issued in December, 2003, on the eve of deployment of the first increment of US-VISIT, the Los Alamos scientists stated that most of the existing border security systems could be "readily" integrated into a interoperable network so that one query could search numerous databases simultaneously. They cautioned that the underlying technical infrastructure at the borders needed to be replaced with a more modern foundation in order to achieve interoperability. Among its finding were that "modern communications technologies have not been fully exploited by any of the border management systems." The continued reliance on outdated equipment, the scientists stated, limited the ability to make progress on government-wide information sharing. They concluded that "the current support infrastructure is not sufficiently robust to sustain broad information technology deployment."

In the main body of the report, DMIA stated that it had been briefed several times over the past year on DHS's plans for deploying US-VISIT. The December, 2003 report warned that:

Entry-exit/US-VISIT is a critical component of a broader DHS strategy and any system that is designed or perceived as a stand-alone system simply will not fit into a post-September 2001 world.

The report recommended that after US-VISIT operated for six months, an "independent body" should evaluate its effectiveness. It also called for development of a government-wide master plan for information technology that emphasized compatibility among databases:

The U.S. government must identify information technology, including biometrics, to enhance border security systems and facilitate cross-border traffic. The technology should be interoperable with all federal, state, and local law enforcement agencies.

Despite the fact that the DMIA Task Force had a lengthy research agenda for 2004, and the Attorney General had provided it staff and budget through the end of that

year, the Task Force was abruptly disbanded in January 2004 after issuing a report stressing the need for investments in interoperability and calling for an independent assessment of US-VISIT. The minutes of a January 27 meeting of the Task Force reports that Assistant Secretary Stuart Verdery informed the Task Force “that Under Secretary Asa Hutchinson has determined that their work has met the statutory requirements of DMIA 2000.” In a briefing with with minority staff of the Select Committee, a senior DHS official explained that the Task Force was shut down because its work was done.

Based on our review of this subject, it is difficult to agree with the conclusion that the Task Force’s work had been completed. Clearly, the design and deployment of US-VISIT was just beginning and efforts to create a truly interoperable border security system remain in their infancy. In light of that, the Department’s decision to shut down this professional and highly productive Task Force four years early is highly questionable.

I would appreciate if you could answer the following questions:

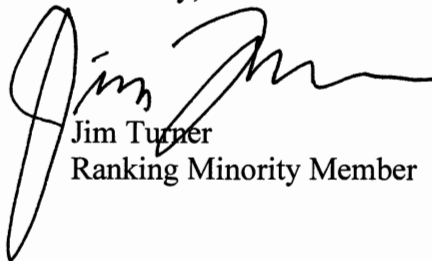
- 1) Why was the DMIA Task Force terminated in January, 2004, when it had been authorized by Congress to continue its work until September, 2008.
- 2) What action did the Department of Homeland Security take on the Task Force’s recommendation to obtain an independent assessment of US-VISIT after six months of operation?
- 3) What body has replaced the DMIA Task Force as the source for expertise and objective information on the many complex challenges that DHS faces in deploying US-VISIT?

To assist our review, I request that you provide the following documents:

Any memorandums, correspondence, or email regarding the DMIA Task Force produced by any DHS official during between March, 2003 and January, 2004.

Thank you for your cooperation in this matter. I would appreciate a response by no later than August 31, 2004. The point of contact in my office is John Sopko, Minority General Counsel and Chief of Investigations, who can be reached at 202-226-2616.

Sincerely,



Jim Turner
Ranking Minority Member

cc: The Hon. Christopher Cox